

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MANUEL BELIZ,

Plaintiff,

No. 3:16-cv-00006-YY

v.

ORDER

UNITED STATES POSTAL SERVICE,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Janice Stewart issued a Findings & Recommendation [8] on February 23, 2016, recommending that Defendant's Motion to Dismiss for Lack of Jurisdiction [4] be granted and Plaintiff's complaint be dismissed with prejudice. Plaintiff has timely filed objections [11] to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When a party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the

Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

Although Plaintiff filed an unspecific objection to Judge Stewart's Findings & Recommendation, the Court notes that Plaintiff is proceeding *pro se*, construes his objection broadly, and reviews Judge Stewart's report *de novo*. See Erickson v. Pardus, 551 U.S. 89, 94 (2007).


I have carefully considered Plaintiff's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Stewart's Findings & Recommendation [8], and therefore, Defendant's Motion to Dismiss for Lack of Jurisdiction [4] is granted, and Plaintiff's complaint is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 10 day of March, 2016.

  
MARCO A. HERNÁNDEZ  
United States District Judge